

# PATENT COOPERATION TREATY

# PCT

## DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13ter.1(c) and Rule 39)

Applicant's or agent's file reference PHNL040284WO	IMPORTANT DECLARATION	Date of mailing(day/month/year) 06/09/2005
International application No. PCT/IB2005/050818	International filing date(day/month/year) 04/03/2005	(Earliest) Priority date(day/month/year) 11/03/2004
International Patent Classification (IPC) or both national classification and IPC H03K23/44		
Applicant KONINKLIJKE PHILIPS ELECTRONICS N.V.		


This International Searching Authority hereby declares, according to Article 17(2)(a), that **no international search report will be established** on the international application for the reasons indicated below

1. ☐ The subject matter of the international application relates to:
    - a. ☐ scientific theories.
    - b. ☐ mathematical theories
    - c. ☐ plant varieties.
    - d. ☐ animal varieties.
    - e. ☐ essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
    - f. ☐ schemes, rules or methods of doing business.
    - g. ☐ schemes, rules or methods of performing purely mental acts.
    - h. ☐ schemes, rules or methods of playing games.
    - i. ☐ methods for treatment of the human body by surgery or therapy.
    - j. ☐ methods for treatment of the animal body by surgery or therapy.
    - k. ☐ diagnostic methods practised on the human or animal body.
    - l. ☐ mere presentations of information.
    - m. ☐ computer programs for which this International Searching Authority is not equipped to search prior art.
  2. ☐ The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:
 

☐ the description
☐ the claims
☐ the drawings
  3. ☐ The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:
 

☐ the written form has not been furnished or does not comply with the standard.
 ☐ the computer readable form has not been furnished or does not comply with the standard.
  4. ☐ The failure of the tables related to the nucleotide and/or amino acid sequence listing to comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions prevents a meaningful search from being carried out:
 

☐ the written form has not been furnished.
 ☐ the computer readable form has not been furnished or does not comply with the technical requirements.
- See further information on separate sheet
5. Further comments:

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer  Mustafa Corapci
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## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 203

The application does not meet the requirements of Articles 5 PCT and Rule 5.1(a)(iii) PCT in that the matter for which protection is sought is not clearly defined. The functional statement 'configured as a low-pass filter' does not enable the skilled person to determine which technical features are necessary to perform the stated function, since it is not generally known in the art how a latch could be configured as a low-pass filter. Neither do the description nor the dependent claims solve this unclarity.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.